

PWM

RECEIVED
SACRAMENTO
CYRWOGB

08 APR 25 PM 4: 37

Center for
Environmental Health

528 61st Street, Suite A
Oakland, CA 94609

T: 510.594.9864
F: 510.594.9863

ceh@cehca.org
www.cehca.org



April 23, 2008

Central Valley Regional Water Quality Control Board
Sacramento Main Office
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114

RE: Proposed Methylmercury Basin Plan Amendment/TMDL for the Sacramento-San Joaquin River Delta Estuary.

Dear Chairman Longley, Vice Chair Hart, and Board Members Betancourt, Maki, Meraz, Mulholland, and Odenweller:

Thank you for the opportunity to share our views on the proposed methylmercury TMDL for the Delta. The Center for Environmental Health wishes to acknowledge the Regional Board Staff's hard work on this plan and approve of their focus on methylmercury as a means of protecting public health and the environment.

The Center for Environmental Health works to eliminate the threats harmful chemicals, like methylmercury, pose to children, families, and communities. Many people in communities we work with fish regularly and often consume higher levels of Delta fish than is considered safe due to methylmercury and other contaminants. We believe that they have the right to fish and consume their catch, whether for cultural, recreational, or economic reasons, without risking their families' health and safety. While we recognize that addressing the mercury problem in the Delta can be complex, we believe that it is the responsibility of the Board to ensure that we do all we can to reduce methylmercury in the watershed in as rapid and complete a manner as possible.

We are seriously concerned that the proposed plan will not adequately protect communities for the following reasons:

- Staff recommends a fish tissue target that will allow people to only eat popular species of locally caught fish once a week, disregarding the fact that many in the Delta's diverse population consume significantly higher levels as a major part of their diet. Such a limited goal will only put our families at continued risk.
- The TMDL delays taking action to reduce methylmercury levels for 8 years while more studies are done, despite the fact that people, especially those in disadvantaged communities or communities of color, are being affected today.
- While Staff appropriately includes exposure reduction language from State Board Resolution 2005-0060, the implementation and program evaluation requirements focus on risk communication and do not adequately address mitigating health impacts from mercury contamination or actions to reduce actual exposure.

We believe these problems can be corrected. Specifically we recommend that:

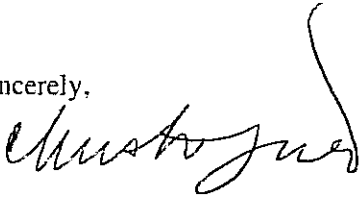
1. The Board adopt a fish tissue objective that will better protect subsistence fishers and their families. Staff's Alternative 5 would allow 4 or 5 meals a week, and comes closer to what is happening in many households. We believe that as research continues in the Delta, this goal can be achieved.



2. Sources of methyl and elemental mercury should be required to begin reducing their loads now, based on current knowledge. An adaptive management plan would allow such strategies to be improved as research and monitoring provides more information.
3. Exposure reduction language should be expanded to include *"Coordination with affected communities to develop and implement exposure management programs that meet their particular needs, possibly including providing access to fish with less mercury or other protein sources and supporting or funding programs which address community health problems exacerbated by consumption of mercury in fish"*. Furthermore, evaluation of exposure reduction programs should include reporting on such actions.

The Regional Board has the opportunity to ensure that this TMDL puts the interests of environmental justice and our most impacted communities first. As residents of the Delta region, we believe this is the only way we can be assured that our precious water resources are cleaned up and that our people will live in a healthy and safe environment.

Sincerely,



Christine G. Cordero
Community Health Program Coordinator

Cc: Patrick Morris
Pamela Creedon